

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANDREW TOLBERT, #NB0318

Plaintiff

v.

3:19-CV-410
(JUDGE MARIANI)

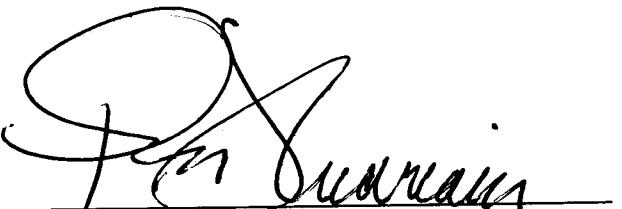
S. ELLENBERGER, et al.

Defendants

ORDER

AND NOW, THIS 15th DAY OF JULY, 2019, upon review of Magistrate Judge Saporito's Report and Recommendation ("R&R") (Doc. 16) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 16) is **ADOPTED** for the reasons set forth therein.
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED** as legally frivolous and for failure to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1), 28 U.S.C. § 1915A(e)(2)(B)(i-ii), and 42 U.S.C. § 1997e(c)(1).
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani
United States District Judge